



Response Restriction

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Ingraham, R.H., et al  
Serial No. : 10/670,668  
Filed : 09/25/2003  
For : Methods of Using Soluble Hydroxide Hydrolase Inhibitors

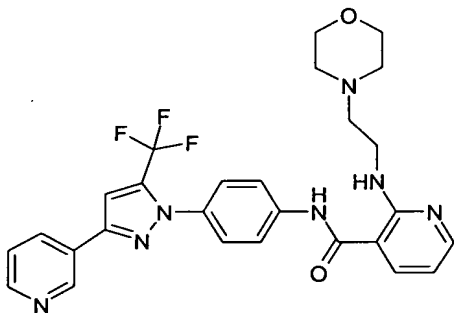
Docket No.: 9/213-1-C1  
) Art Unit: 1626  
) Examiner: Shameem, G.M.

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement dated 04/20/2004, Applicants hereby elect with traverse to prosecute in this application the subject matter of Group I, claims 1-4, and 7 related to methods of use class 514. In response to the election of species requirement, Applicants further elect within Group I the compound :



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Applicants reserve the right to prosecute in one or more divisional applications whatever subject matter is not allowed in this application. However, Applicants respectfully request that the Examiner reconsider and modify the restriction requirement for the reasons given below.

There is no doubt that the Examiner has established that Groups I-III are patentably distinct. Nevertheless, the distinct inventions of Groups I, II and III are

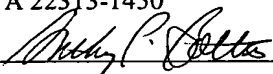
sufficiently related such that the search for one group would be at least partially coextensive with another and thus, not an undue burden on the Examiner. In searching the subject matter of Group I classified in class 514, related to treating a condition caused by endothelial dysfunction, concurrently one would also be searching the prior art for the specific diseases of Group II which are caused by endothelial dysfunction, using specific compounds-one of which is the elected species. The same can be said for Group III which is also related to endothelial dysfunction. Moreover both Groups II and III are also in class 514.

For argument's sake, it would be expected therefore that within a search for Group I, potential references, if any, would include those which disclose the corresponding individual diseases, and those which disclose the mechanism of action. Applicants' attorney therefore contends there would be sufficient overlap to not create an undue burden on the Examiner.

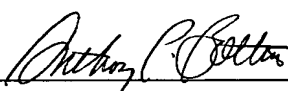
In view of the foregoing, Applicants respectfully request that the Examiner reconsider and modify this restriction requirement. If the Examiner believes that a telephone discussion would be helpful in expediting allowance of this application, the Examiner is invited to call the undersigned at the below listed telephone number.

**Certificate of Mailing Under 37 C.F.R. § 1.8(a)**

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Dated

Respectfully submitted,

  
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